

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR
May 17, 2001

CLEANUP OF SOLID AND HAZARDOUS WASTES

During Brownfields Study Group meetings, several members expressed an interest in how DNR deals with specific issues related to solid and hazardous waste management. What follows is a brief update on the status of both issues.

Hazardous Waste:

DNR has been working with EPA and the Brownfields Study Group for some time to resolve several hazardous waste remediation issues. The goal of this effort is to develop a more streamlined approach for projects involving contaminated media defined as hazardous waste by applying the NR 700 rule series uniformly to all environmental remediations.

Recently, agreement was reached with EPA on a process for resolving a number of these issues. Four specific proposals have since been prepared and sent to EPA for their review and approval. The documents are now available on the RR program's web site on the Brownfields Study Group page,

<http://www.dnr.state.wi.us/org/aw/rr/rbrownfields/bsg/index.htm> They include:

- A request that WDNR can continue to use EPA's Area of Contamination (AOC) policy. EPA has formally concurred with this request and their response letter is included on the Study Group web page.
- A proposal to allow DNR to use enforcement discretion to exempt local governments and economic development corporations from the liability requirements of RCRA, provided the provisions in s. 292.11(9)(e), stats. Are met.
- A similar liability exemption proposal for lenders and representatives if the statutory provisions in s. 292.21 are met.
- A request for EPA's concurrence that DNR can fully utilize the NR 700 series and associated state guidance when selecting remedies and closing out sites with releases of hazardous waste. Two remaining issues that still need to be resolved internally before final proposals can be submitted to EPA are: 1) expansion of EPA's Area of Contamination (AOC) policy, and 2) whether a hazardous waste operating license or variance is needed for in-situ treatment of certain hazardous wastes. Here is our timetable for completing this effort.
- May 14th - Hold a conference call with EPA to obtain their feedback.
- May 25th - Hold an internal meeting to try and reach a final decision on how to proceed.
- May 31st - Submit final documents to EPA if issues are resolved internally, or prepare issue papers for presentation to the Air and Waste Management Team.
- June 8th - Obtain final decision from the Air and Waste Management Team on how to proceed.
- June 15th - Submit remaining documents to EPA for review and concurrence. For more information, please contact Mark Gordon at 608-266-7278, or at godom@dnr.state.wi.us

Solid Waste:

Study Group members continue to work with staff from the RR and Waste programs to streamline the process for obtaining DNR approval to build or redevelop on properties where solid waste is present. A specific proposal was presented to interested Study Group members on April 18th, and the deadline for providing comments is May 25th. The draft

documents that were provided to the Study Group are also available on the Brownfields Study Group web page. Department staff will continue to update Study Group members and interested parties about this waste streamlining effort. For more information, please contact Gene Mitchell at 608-275-3466, or at mitchg@dnr.state.wi.us.

CORRECTION REGARDING NEW BROWNFIELD BROCHURES

Our previous announcement of these brochures pre-dated the actual posting of the publications to our web site. We apologize for the inconvenience this may have caused. The brochures are now available on our RR web site at <http://www.dnr.state.wi.us/org/aw/rr/index.htm> (use the Publications button), or call the RR Information Line at 800-367-6076 (in-state long distance) or 608-264-6020 (Madison area or out-of-state long distance). The brochures highlight brownfield services that Wisconsin provides to local governments or other interested parties. They are "Brownfield Basics - Tools for Cleaning Up And Redeveloping Contaminated Properties" (publication # RR-663) and "Brownfield Basics for Local Governments" (publication # RR-658).

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